

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

Roman Krause

PLAINTIFFS
Nina and Gerald Greene, on behalf of themselves and the certified classes

DEFENDANTS
Transform Holdco LLC, Transform SR Protection LLC, and Transform SR LLC

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
Benjamin M. Mather, Kaufman, Coren & Ress, P.C., Two Commerce Square, Suite 3900, 2001 Market Street, Philadelphia, PA 19103, (215) 735-8700

ATTORNEYS (IF KNOWN)
Luke A. Barefoot, Cleary Gottlieb Steen & Hamilton LLP, One Liberty Plaza, New York, NY 10006, (212) 225-2000

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Appeal from May 27, 2021 Order Denying Class Representatives' Motion for Relief from the Automatic Stay, pursuant to 28 U.S.C. § 158

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No ☒ Yes ☐

Judge Previously Assigned

If yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE? No ☒ Yes ☐

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

| TORTS | | ACTIONS UNDER STATUTES | | | |
|--|---|--|--|---|---|
| CONTRACT | PERSONAL INJURY | PERSONAL INJURY | FORFEITURE/PENALTY | BANKRUPTCY | OTHER STATUTES |
| <input type="checkbox"/> 110 INSURANCE | <input type="checkbox"/> 310 AIRPLANE | <input type="checkbox"/> 367 HEALTHCARE/ | <input type="checkbox"/> 625 DRUG RELATED | <input checked="" type="checkbox"/> 422 APPEAL | <input type="checkbox"/> 375 FALSE CLAIMS |
| <input type="checkbox"/> 120 MARINE | <input type="checkbox"/> 315 AIRPLANE PRODUCT | PHARMACEUTICAL PERSONAL | INJURY/PRODUCT LIABILITY | 28 USC 158 | <input type="checkbox"/> 376 QUI TAM |
| <input type="checkbox"/> 130 MILLER ACT | LIABILITY | <input type="checkbox"/> 365 PERSONAL INJURY | SEIZURE OF PROPERTY | <input type="checkbox"/> 423 WITHDRAWAL | <input type="checkbox"/> 400 STATE |
| <input type="checkbox"/> 140 NEGOTIABLE | <input type="checkbox"/> 320 ASSAULT, LIBEL & | PRODUCT LIABILITY | 21 USC 881 | 28 USC 157 | REAPPORTIONMENT |
| | SLANDER | <input type="checkbox"/> 368 ASBESTOS PERSONAL | <input type="checkbox"/> 690 OTHER | | <input type="checkbox"/> 410 ANTITRUST |
| <input type="checkbox"/> 150 RECOVERY OF | <input type="checkbox"/> 330 FEDERAL | INJURY PRODUCT | | | <input type="checkbox"/> 430 BANKS & BANKING |
| OVERPAYMENT & | EMPLOYERS' | LIABILITY | PROPERTY RIGHTS | | <input type="checkbox"/> 450 COMMERCE |
| ENFORCEMENT | LIABILITY | | <input type="checkbox"/> 820 COPYRIGHTS | <input type="checkbox"/> 880 DEFEND TRADE SECRETS ACT | <input type="checkbox"/> 460 DEPORTATION |
| OF JUDGMENT | <input type="checkbox"/> 340 MARINE | PERSONAL PROPERTY | <input type="checkbox"/> 830 PATENT | | <input type="checkbox"/> 470 RACKETEER INFLU- |
| <input type="checkbox"/> 151 MEDICARE ACT | <input type="checkbox"/> 345 MARINE PRODUCT | <input type="checkbox"/> 370 OTHER FRAUD | <input type="checkbox"/> 835 PATENT-ABBREVIATED NEW DRUG APPLICATION | | ENCED & CORRUPT |
| <input type="checkbox"/> 152 RECOVERY OF | LIABILITY | <input type="checkbox"/> 371 TRUTH IN LENDING | <input type="checkbox"/> 840 TRADEMARK | | ORGANIZATION ACT |
| DEFAULTED | <input type="checkbox"/> 350 MOTOR VEHICLE | | | | (RICO) |
| STUDENT LOANS | <input type="checkbox"/> 355 MOTOR VEHICLE | <input type="checkbox"/> 380 OTHER PERSONAL | | SOCIAL SECURITY | <input type="checkbox"/> 480 CONSUMER CREDIT |
| (EXCL VETERANS) | PRODUCT LIABILITY | PROPERTY DAMAGE | LABOR | <input type="checkbox"/> 861 HIA (1395ff) | <input type="checkbox"/> 485 TELEPHONE CONSUMER |
| <input type="checkbox"/> 153 RECOVERY OF | <input type="checkbox"/> 360 OTHER PERSONAL | PRODUCT LIABILITY | <input type="checkbox"/> 710 FAIR LABOR | <input type="checkbox"/> 862 BLACK LUNG (923) | PROTECTION ACT |
| OVERPAYMENT | INJURY | <input type="checkbox"/> 385 PROPERTY DAMAGE | STANDARDS ACT | <input type="checkbox"/> 863 DIWC/DIWW (405(g)) | |
| OF VETERAN'S | <input type="checkbox"/> 362 PERSONAL INJURY - | | <input type="checkbox"/> 720 LABOR/MGMT | <input type="checkbox"/> 864 SSID TITLE XVI | <input type="checkbox"/> 490 CABLE/SATELLITE TV |
| BENEFITS | MED MALPRACTICE | PRISONER PETITIONS | RELATIONS | <input type="checkbox"/> 865 RSI (405(g)) | <input type="checkbox"/> 850 SECURITIES/ |
| <input type="checkbox"/> 160 STOCKHOLDERS | | <input type="checkbox"/> 463 ALIEN DETAINEE | <input type="checkbox"/> 740 RAILWAY LABOR ACT | | COMMODITIES/ |
| SUITS | ACTIONS UNDER STATUTES | <input type="checkbox"/> 510 MOTIONS TO | <input type="checkbox"/> 751 FAMILY MEDICAL | FEDERAL TAX SUITS | EXCHANGE |
| <input type="checkbox"/> 190 OTHER | CIVIL RIGHTS | VACATE SENTENCE | LEAVE ACT (FMLA) | <input type="checkbox"/> 870 TAXES (U.S. Plaintiff or | <input type="checkbox"/> 890 OTHER STATUTORY |
| CONTRACT | | 28 USC 2255 | <input type="checkbox"/> 790 OTHER LABOR | Defendant) | ACTIONS |
| CONTRACT | <input type="checkbox"/> 440 OTHER CIVIL RIGHTS | <input type="checkbox"/> 530 HABEAS CORPUS | LITIGATION | <input type="checkbox"/> 871 IRS-THIRD PARTY | <input type="checkbox"/> 891 AGRICULTURAL ACTS |
| PRODUCT | (Non-Prisoner) | <input type="checkbox"/> 535 DEATH PENALTY | <input type="checkbox"/> 791 EMPL RET INC | 26 USC 7609 | <input type="checkbox"/> 893 ENVIRONMENTAL |
| LIABILITY | | <input type="checkbox"/> 540 MANDAMUS & OTHER | SECURITY ACT (ERISA) | | MATTERS |
| <input type="checkbox"/> 196 FRANCHISE | <input type="checkbox"/> 441 VOTING | PRISONER CIVIL RIGHTS | IMMIGRATION | | <input type="checkbox"/> 895 FREEDOM OF |
| | <input type="checkbox"/> 442 EMPLOYMENT | <input type="checkbox"/> 550 CIVIL RIGHTS | <input type="checkbox"/> 462 NATURALIZATION | | INFORMATION ACT |
| | <input type="checkbox"/> 443 HOUSING/ | <input type="checkbox"/> 555 PRISON CONDITION | APPLICATION | | <input type="checkbox"/> 896 ARBITRATION |
| REAL PROPERTY | ACCOMMODATIONS | <input type="checkbox"/> 560 CIVIL DETAINEE | <input type="checkbox"/> 465 OTHER IMMIGRATION | | PROCEDURE ACT/REVIEW OR |
| <input type="checkbox"/> 210 LAND | DISABILITIES - | CONDITIONS OF CONFINEMENT | ACTIONS | | APPEAL OF AGENCY DECISION |
| CONDEMNATION | EMPLOYMENT | | | | <input type="checkbox"/> 950 CONSTITUTIONALITY OF |
| <input type="checkbox"/> 220 FORECLOSURE | <input type="checkbox"/> 446 AMERICANS WITH | | | | STATE STATUTES |
| <input type="checkbox"/> 230 RENT LEASE & | DISABILITIES -OTHER | | | | |
| EJECTMENT | <input type="checkbox"/> 448 EDUCATION | | | | |
| <input type="checkbox"/> 240 TORTS TO LAND | | | | | |
| <input type="checkbox"/> 245 TORT PRODUCT | | | | | |
| LIABILITY | | | | | |
| <input type="checkbox"/> 290 ALL OTHER | | | | | |
| REAL PROPERTY | | | | | |

Check if demanded in complaint:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y. AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13? IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint

JURY DEMAND: ☐ YES ☒ NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

Pg 2 of 2
ORIGIN

(PLACE AN X IN ONE BOX ONLY)

- ☒ 1 Original Proceeding
 ☐ 2 Removed from State Court
 ☐ 3 Remanded from Appellate Court
 ☐ 4 Reinstated or Reopened
 ☐ 5 Transferred from (Specify District)
 ☐ 6 Multidistrict Litigation (Transferred)
 ☐ 7 Appeal to District Judge from Magistrate Judge
 ☐ 8 Multidistrict Litigation (Direct File)
- ☐ a. all parties represented
☐ b. At least one party is pro se.

(PLACE AN X IN ONE BOX ONLY)

BASIS OF JURISDICTION**IF DIVERSITY, INDICATE CITIZENSHIP BELOW.**

- ☐ 1 U.S. PLAINTIFF
 ☐ 2 U.S. DEFENDANT
 ☒ 3 FEDERAL QUESTION
 ☐ 4 DIVERSITY
- (U.S. NOT A PARTY)

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

| | PTF | DEF | | PTF | DEF | | PTF | DEF |
|--------------------------|-----|-----|---|-----|-----|---|-----|-----|
| CITIZEN OF THIS STATE | [] | [] | CITIZEN OR SUBJECT OF A FOREIGN COUNTRY | [] | [] | INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE | [] | [] |
| CITIZEN OF ANOTHER STATE | [] | [] | INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE | [] | [] | FOREIGN NATION | [] | [] |

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☒ WHITE PLAINS ☐ MANHATTAN

DATE 6/9/2021 /s/ Benjamin M. Mather
SIGNATURE OF ATTORNEY OF RECORD

RECEIPT #

ADMITTED TO PRACTICE IN THIS DISTRICT
☒ NO
☐ YES (DATE ADMITTED Mo. _____ Yr. _____)
 Attorney Bar Code #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)

Clear Form

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